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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

AMERICAN CIVIL LIBERTIES UNION )	No. 13-cv-3127 MEJ
OF NORTHERN CALIFORNIA, )	
Plaintiff, )	
v. )	STIPULATION TO AMEND
DEPARTMENT OF JUSTICE, )	SUMMARY JUDGMENT BRIEFING
Defendant. )	SCHEDULE

Pursuant to Civil Local Rule 6-2, defendant United States Department of Justice ("DOJ") and plaintiff American Civil Liberties Union of Northern California ("ACLU"), by and through their respective counsel, stipulate as follows:

1. On August 19, 2014, the Court entered the summary judgment briefing schedule stipulated to by the parties (ECF No. 32), whereby defendant's opening motion would be due November 3, 2014; plaintiff's opposition and cross-motion, November 17; defendant's reply and opposition, December 8; and plaintiff's reply December 19; and set the motions for hearing on January 15, 2015.

2. Since then, DOJ has completed processing of the responsive documents and is currently in the process of compiling the *Vaughn* index and declarations for its opening motion.

1 However, DOJ is still analyzing the Court's recent decisions in the related case, *ACLU v. DOJ*,  
2 No. 12-cv-4008 (ECF Nos. 61, 62), and needs more time to evaluate their impact on the instant  
3 case.

4 3. Additionally, the Criminal Division of DOJ has had to address certain technical  
5 issues associated with the database containing the responsive documents, which may require a  
6 shift to another database with different information technology staff.

7 4. For these reasons, defendant has requested, and plaintiff has agreed, to extend the  
8 current briefing schedule to allow DOJ sufficient time to resolve the above matters.

9 5. Accordingly, the parties have stipulated to, and respectfully request that the Court  
10 enter, the following proposed amended briefing schedule:

- 11 • Defendant's opening brief shall be filed no later than November 26, 2014.
- 12 • Plaintiff's cross-motion and opposition shall be filed no later than December 18,  
13 2014.
- 14 • Defendant's reply and opposition shall be filed no later than January 8, 2015.
- 15 • Plaintiff's reply shall be filed no later than January 22, 2015.
- 16 • The hearing shall be held on February 5, 2015, or as soon thereafter as the matter  
17 may be heard.

18 6. The parties' prior stipulation as to page length remains in place, whereby each of  
19 the four briefs may be up to 25 pages in length in order to ensure equal briefing space for both  
20 sides.

21 7. No prior amendments to the briefing schedule have been requested or granted.

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23 IT IS SO STIPULATED.  
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Respectfully submitted this 29th day of October, 2014,

JOYCE R. BRANDA  
Acting Assistant Attorney General

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/s/ Linda Lye  
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*Attorney for Plaintiff*

*Attorneys for Defendant*

IT IS ORDERED THAT THE FOLLOWING BRIEFING SCHEDULE IS ADOPTED:

For the parties' forthcoming motions for summary judgment regarding plaintiff's FOIA request, the briefing schedule shall be as follows:

a. Defendant's opening brief shall be filed no later than November 26, 2014.

b. Plaintiff's cross-motion and opposition, together not to exceed 25 pages, shall be filed no later than December 18, 2014.

c. Defendant's reply and opposition, together not to exceed 25 pages, shall be filed no later than January 8, 2015.

d. Plaintiff's reply, not to exceed 25 pages, shall be filed no later than January 22, 2015.

e. The hearing on this matter shall be held on February 5, 2015.

DATED: October 29, 2014

  
Judge Maria-Elena James  
United States Magistrate Judge

**DECLARATION PURSUANT TO CIV. L.R. 5-1(i)(3)**

*ACLU of Northern California, et al. v. DOJ*, No. 13-cv-3127

I, Lynn Y. Lee, declare that I have obtained the concurrence in the filing of this Stipulation to Amend Summary Judgment Briefing Schedule from Linda Lye, counsel for plaintiff in this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2014.

/s/ Lynn Y. Lee  
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